

UNITED STATES DISTRICT COURT  
for the

Bryon U. Jackson

Plaintiff

Credit Suisse Securities LLC  
v.  
Defendant

10 NY 2698

Civil Action No.

JUDGE SWAIN

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 3/26/10

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Bryon U. Jackson  
145 Clinton Pl, Apt # 7a  
Hackensack, N.J. 07601

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

J. MICHAEL RABINSON  
CLERK OF COURT

Date: MAR 26 2010

Catherine Lapping  
Signature of Clerk or Deputy Clerk

PRO SE OFFICER  
RM

Civil Action No.

## PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Credit Suisse Securities LLC  
 was received by me on (date) 3/26/10.

I personally served the summons on the individual at (place) 11 Madison Ave, Manhattan  
NY 10010 on (date) 3/26/10; or

I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
 , a person of suitable age and discretion who resides there,  
 on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on (name of individual) \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of (name of organization) \_\_\_\_\_  
 on (date) \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other (specify): \_\_\_\_\_

My fees are \$ 60 for travel and \$ 0 for services, for a total of \$ 60.00.

I declare under penalty of perjury that this information is true.

Date: 3/26/10

  
 Server's signature

Vincent Conner  
 Printed name and title

15 Cedar Ave, Mahwah, NJ 07430  
 Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Bryon U. Jackson

Plaintiff

v.

Credit Suisse Securities LLC

Defendant

10 cv 2698

Civil Action No.

JUDGE SWAIN

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

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Bryon U. Jackson  
145 Clinton Pl, Apt # 7a  
Hackensack, N.J. 07601

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

J. MICHAEL McMAHON  
CLERK OF COURT

Date: MAR 26 2010

Catherine Lapsley  
Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

*Printed name and title*

*Server's address*

Additional information regarding attempted service, etc:

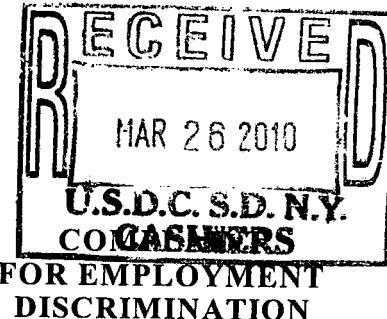
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKBryon U. Jackson

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

Credit Suisse Securities LLC

10 CV 2698

Jury Trial:  Yes  No

(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. Typically, the company or organization named in your charge to the Equal Employment Opportunity Commission should be named as a defendant. Addresses should not be included here.)

This action is brought for discrimination in employment pursuant to: (check only those that apply)



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

*NOTE: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.*

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634.

*NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.*

Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117.

*NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.*

New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).



New York City Human Rights Law, N.Y. City Admin. Code §§ 8-101 to 131 (actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status).



**I. Parties in this complaint:**

A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Bryon U. Jackson  
 Street Address 145 Clinton Place, Apt. # 1A  
 County, City Bergen Hackensack  
 State & Zip Code New Jersey 07601  
 Telephone Number (201) - 776-4282

B. List all defendants' names and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant Name Credit Suisse Securities L.L.C.  
 Street Address 11 Madison Ave  
 County, City Manhattan, New York  
 State & Zip Code New York 10010  
 Telephone Number (212) - 325 - 2000

C. The address at which I sought employment or was employed by the defendant(s) is:

Employer Credit Suisse Securities L.L.C.  
 Street Address 11 Madison AVE  
 County, City Manhattan, New York  
 State & Zip Code New York 10010  
 Telephone Number (212) - 325 - 2000

**II. Statement of Claim:**

State as briefly as possible the facts of your case, including relevant dates and events. Describe how you were discriminated against. If you are pursuing claims under other federal or state statutes, you should include facts to support those claims. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. The discriminatory conduct of which I complain in this action includes: *(check only those that apply)*

Failure to hire me.  
 Termination of my employment.  
 Failure to promote me.  
 Failure to accommodate my disability.  
 Unequal terms and conditions of my employment.



**I. Parties in this complaint:**

A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name Bryon U. Jackson  
 Street Address 145 Clinton Place, Apt. # 1A  
 County, City Bergen Hackensack  
 State & Zip Code New Jersey 07601  
 Telephone Number (201) - 776-4282

B. List all defendants' names and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant

Name Credit Suisse Securities L.L.C.  
 Street Address 11 Madison Ave  
 County, City Manhattan, New York  
 State & Zip Code New York 10010  
 Telephone Number (212) - 325 - 2000

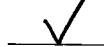
C. The address at which I sought employment or was employed by the defendant(s) is:

Employer Credit Suisse Securities L.L.C.  
 Street Address 11 Madison Ave  
 County, City Manhattan, New York  
 State & Zip Code New York 10010  
 Telephone Number (212) - 325 - 2000

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A. The discriminatory conduct of which I complain in this action includes: (check only those that apply)



Failure to hire me.



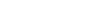
Termination of my employment.



Failure to promote me.



Failure to accommodate my disability.



Unequal terms and conditions of my employment.



Retaliation.

Other acts (specify): \_\_\_\_\_

**Note:** Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.

B. It is my best recollection that the alleged discriminatory acts occurred on: January 28<sup>th</sup> 2009  
*(Date)*

C. I believe that defendant(s) (check one):

is still committing these acts against me.

is not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (check only those that apply and explain):

race \_\_\_\_\_  color \_\_\_\_\_

gender/sex \_\_\_\_\_  religion \_\_\_\_\_

national origin Jamaican

age. My date of birth is \_\_\_\_\_ (Give your date of birth only if you are asserting a claim of age discrimination.)

disability or perceived disability, \_\_\_\_\_ (specify)

E. The facts of my case are as follow (attach additional sheets as necessary):

In January 2009, I applied for a position at Credit Suisse entitled Private Banking Ops Specialist Managed Accounts. On January 22, 2009, I was contacted by Allison Egan in HR for an interview on January 28, 2009. During the interview I met with Allison Egan and a Sr. Manager who thought I was a perfect match for the job. I met with a third person, Mr. Ward who would be my supervisor if I had been hired. During the interview with Mr. Ward, he asked me three times my National Origin. After the third time, I felt threatened so I told him. He replied and said, "He worked with a Jamaican before and they did not get along." Mr. Ward then told me the National Origin breakdown of his team, ended the interview then excused me to the door.

**Note:** As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights or the New York City Commission on Human Rights.

### III. Exhaustion of Federal Administrative Remedies:

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding defendant's alleged discriminatory conduct on: January 17<sup>th</sup>, 2009 *(Date)*



B. The Equal Employment Opportunity Commission (*check one*):

has not issued a Notice of Right to Sue letter.

issued a Notice of Right to Sue letter, which I received on 3/25/10 (Date).

*Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.*

C. Only litigants alleging age discrimination must answer this Question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (*check one*):

60 days or more have elapsed.

less than 60 days have elapsed.

**IV. Relief:**

**WHEREFORE**, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, and costs, as follows: *4 years front pay = \$340,000; Punitive Damages for engaging in intentional discrimination with Malice or Reckless Indifference = \$10,000,000 and Compensatory damages for emotional distress, pain and suffering = \$300,000. Total = \$10,640,000.00 (Describe relief sought, including amount of damages, if any, and the basis for such relief.)*

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 26 day of March, 2010

Signature of Plaintiff

Address

B. Jackson  
145 Clinton Place, Apt #7A  
Hackensack, N.J. 07601

Telephone Number

(201) - 776 - 4282

Fax Number (*if you have one*)



## NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: **Bryon Jackson**  
145 Clinton Place  
Apt. 7-A  
Hackensack, NJ 07601

From: **New York District Office**  
33 Whitehall Street  
5th Floor  
New York, NY 10004

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

520-2009-01836

**Charles K. Diamond,**  
Investigator

(212) 336-3771

(See also the additional information enclosed with this form.)

## NOTICE TO THE PERSON AGGRIEVED:

**Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA):** This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

More than 180 days have passed since the filing of this charge.

Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

The EEOC is terminating its processing of this charge.

The EEOC will continue to process this charge.

**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

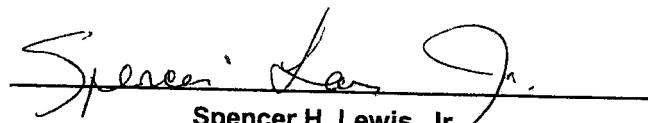
The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



**Spencer H. Lewis, Jr.**  
Director

03/23/2010

(Date Mailed)

Enclosures(s)

CC: **CREDIT SUISSE SECURITIES LLC**  
Director, Human Resources  
11 Madison Avenue  
New York, NY 10010

**Brian Schaffer**  
1250 Broadway, Suite 3701  
New York, NY 10001



## INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
provisions of State law may be shorter or more limited than those described below.)*

### PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act (GINA), or the Age Discrimination in Employment Act (ADEA):

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should keep a record of this date. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed within 90 days of the date this Notice was mailed to you (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

### PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred more than 2 years (3 years) before you file suit may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

### ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

### ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be made within the next 90 days.)

***IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.***



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

**BRYON U. JACKSON,**

**X**

**E.E.O.C. No.**

**Complainant,**  
**-against-**

**AFFIDAVIT**

**CREDIT SUISSE SECURITIES (USA) LLC,**

**Respondent**

**X**

State of New York :  
County of New York : ss  
:

I, BRYON U. JACKSON, being first duly sworn upon oath, depose and swear the following:

1. My name is Bryon U. Jackson and I reside at 145 Clinton Place, Apt. 7A, Hackensack, New Jersey, 07601.
2. I am a male with a date of birth of July 17, 1966. I am 42 years-old. I was born in Jamaica and moved to the United States when I was 26 years-old. I am a United States Citizen.
3. I am bringing this claim against Credit Suisse for failing to hire me based upon my National Origin.
4. Upon information and belief, Credit Suisse maintains an office at 11 Madison Avenue, New York, New York 10010, where they employ well over fifteen employees.
5. I have been working for major financial institutions since 1998 and I am qualified for the position of Private Banking Operations Specialist-Managed Accounts.



6. In January 2009, I applied online for a position at Credit Suisse entitled Private Banking Operations Specialist-Managed Accounts.
7. On January 22, 2009, I was contacted by Allison Egan, an employee of Credit Suisse regarding my availability for an interview. Ms. Egan expressed that she was looking forward to meeting with me because I appeared to be a qualified candidate. Ms. Egan asked if I had passed the Series 7 and 63 tests. I indicated that I had not yet taken those tests. Ms. Egan indicated that was okay and both tests must be taken within ninety days after starting with the firm.
8. On January 28, 2009 at 11:00 a.m., I arrived at Credit Suisse for the interview.
9. I first met with Ms. Egan for approximately fifteen minutes. I believe it was a positive meeting. Ms. Egan stated she would speak with me after I met with two other Managers.
10. After meeting with Ms. Egan, I met with a Senior Manager (whose name I cannot recall) for half an hour. The meeting was very positive, with the interviewer saying things such as, "I think you are perfect for the job, a perfect match" and "How soon can you start?"
11. After the second meeting, I met with Patrick Ward, the Manager of the group. Upon information and belief, Mr. Ward would have been my supervisor if I had been hired.
12. Initially Mr. Ward asked me to detail my relevant experience in the industry, which I did. Only a few minutes into the interview, Mr. Ward surprised me by asking, "Where are you from?" I was taken aback by this question and decided not to answer, choosing to talk more about my work experience. Once again, Mr. Ward again asked, "Where are you from?" After I did not answer his direct question, Mr. Ward then told me my previous experience is right on point with what I would be doing for Credit Suisse.



13. At this point, Mr. Ward pressed me for a response and asked for a third time, "Where are you from?" I felt there was no choice but to answer. I explained to Mr. Ward that I was born in Jamaica and came to the United States when I was 26 years-old. Mr. Ward responded by saying, "I have worked with some people from Jamaica before. The team is very diverse and I am looking for a good mix. I have had experiences where people in the team did not get along because where they are from. I am from Barbados and another person is from Haiti. I have worked with people from your island (referring to Jamaica) and we just did not get along."
14. After his lengthy speech regarding not getting along with people from my country, Mr. Ward began glancing at his watch. I was at a loss for words. Immediately thereafter, Mr. Ward abruptly ended the interview by showing me to the door.
15. I left the building without speaking to Allison Egan.
16. On February 4, 2009, I received a telephone call from Ms. Egan, claiming that even though I was well qualified for the position, Credit Suisse hired two individuals whom Mr. Ward has worked with in the past and who he thinks he can work well with going forward.
17. Upon information and belief, as of February 10, 2009, Credit Suisse is still seeking individuals for the same position at the same location.
18. In sum, I have been subjected to discrimination based on my national origin, by Credit Suisse's failure to hire me based on me being from the country of Jamaica. I cannot speculate as to Mr. Ward's reasons for not wanting to work with someone from Jamaica. However, I fully believe this is the reason I was not hired. I was perfectly qualified for the position and had two very positive interviews, prior to meeting with Mr. Ward.



19. The company has discriminated me with respect to the terms and conditions and other privileges and benefits of employment because of my national origin in violation of federal, state and city laws. I have also suffered greatly as a result of the company's conduct, including without limitation, on a financial and emotional level. My reputation has also been tarnished due to the company's conduct.

20. This affidavit consists of four pages.



BRYON U. JACKSON

On February 11 2009, before me personally came Bryon U. Jackson, known by me to be the individual described in and who executed this affidavit.



NOTARY PUBLIC

Christina M. Quiles  
Notary Public, State of New York  
No.01QU6183951  
Qualified in Kings County  
Commission Expires April 28th, 2012

